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Examiner: Ricky D. Shafer
Group Art Unit: 2872

REMARKS/ARGUMENTS

Claims 1-25 are pending in this application. Claims 9-11 and 15-25 have been withdrawn from consideration pursuant to a requirement for restriction. Claims 1-8 and 12-14 stand rejected. Claims 7, 8, and 12-14 stand objected to, but would be allowable if rewritten in independent form, including all of the limitations of the base claim and any intervening claims.

In this paper, Applicant has canceled claims 1, 2, 7, 9-11, and 15-25 without prejudice, and submitted new claim 26, reserving the right to prosecute the cancelled claims in a continuation proceeding. Claims 3, 8, 12, and 14 have been amended.

Claim 26 is essentially claim 7 rewritten in independent form, including the limitations of claims 1 and 2.

Applicant believes the amendments made herein add no new matter. Any amendments to the claims which have been made in this amendment, and which have not been specifically noted to overcome a rejection based on prior art, should be considered to have been made for a purpose unrelated to patentability, and no estoppel should be deemed to be attached thereto. Reconsideration and reexamination of the application is respectfully requested in view of the amendments and the following remarks.

Claims 1-8 and 12-14 stand rejected under 35 U.S.C. §112, ¶2, as allegedly indefinite for failing to particularly point out and distinctly claim the subject matter which applicant claims as the invention, relating to the use of the phrase “the tilt of the reflective element” in claim 1. The rejection is respectfully traversed. Claims 1, 2, and 7 have been cancelled without prejudice. Thus, the rejection is moot. Applicant requests the withdrawal of the rejection of claim 1, 2, and 7.

New claim 26 contains the phrase “a tilt of the reflective element” which Applicant submits is in compliance with 35 U.S.C. §112, ¶2, and is thus allowable. Claims 3-6, 8, and 12-14, which depend, directly or indirectly, from new claim 26 are for the same reasons allowable.

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Claims 1-6 stand rejected under 35 U.S.C. §102(b) as allegedly anticipated by U.S. Patent No. 3,978,735 to Repay et al., U.S. Patent No. 4,504,116 to Sharp, or U.S. Patent No. 4,824,232 to Thompson. These rejections are respectfully traversed. Nevertheless, in the interest of expediting the prosecution of this application, Applicant has amended the claims, which Applicant believes places the claims in condition for immediate allowance.

Claims 1 and 2 have been cancelled without prejudice. Thus, the rejection is moot. Applicant requests the withdrawal of the rejection of claims 1 and 2.

Claims 3-6 depend from new claim 26, which the Examiner has indicated is allowable. Thus, claims 3-6 are allowable.

For the reasons discussed above, all claims remaining in the application are allowable over the prior art. Early notification of allowability is respectfully requested.

If there are any remaining issues which the Examiner believes may be resolved in an interview, the Examiner is respectfully invited to contact the undersigned.

Respectfully submitted,

IAN BODDY

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